IN RE: PETITION FOR SPECIAL HEARING

Royalty Circle at its intersection

with Village Queen Drive

BEFORE THE

ZONING COMMISSIONER

3rd Election District

2nd Councilmanic District

TPG, Ltd. & The OPM Group, LLC

OF BALTIMORE COUNTY

* Case No. 96-312-SPH

Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the tract adjacent to Royalty Circle near the intersection of Greenspring Valley Road and Craddick Lane in northwestern Baltimore County. The Petition is filed by TPG, Ltd. and The OPM Group, LLC, Approval is requested of the 8th Amended Final Developproperty owners. ment Plan - Queen Anne Village Addition - Section 2, to permit 40 townhouses instead of 64 back to back townhouses previously approved, in accordance with Section 500.7 of the Baltimore County Zoning Regulations (BCZR). The subject property and requested relief use are more particularly shown on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Special Hearing, (the 8th amended Final Development Plan).

Appearing at the requisite public hearing held for this case were Thomas Langford and Sean Langford, on behalf of the property owners. Also present was Thomas Church, the engineer who prepared the site plan. The Petitioners were represented by Howard L. Alderman, Jr., Esquire. were no interested persons or Protestants present.

The subject Petition relates to a residential subdivision presently under construction known as Queen Anne Village. As noted above, the overall tract is located in northern Baltimore County, not far from Reisterstown Road, a major arterial roadway. The development is proceeding in stages and the subject Petition relates to what is known as Section

ORDER RECEIVED FOR FILMS
Date
The Analysis

2 of the project. Formerly, the project received CRG approval on September 24, 1993. The CRG plan provided for the construction of a roadway known as Royalty Circle, a loop road adjacent to Village Queen Drive. The internal section of the loop created by Royalty Circle on the original plan was to be improved with 64 townhouses in a back to back arrangement.

Testimony and evidence offered was that the marketing plan for the community has changed and the Petitioners desire to revise the plan. In lieu of the 64 back to back units previously approved, the Petitioners propose 40 units, constructed in 5 rows of 8 units each. Moreover, rather than the back to back orientation, the units will all front on Royalty Circle. The proposed arrangement is more particularly shown on the site plan.

The Petitioners request special hearing relief to approve the amended plan. The plan has been amended in accordance with the request and specifically has deleted certain comments and notes related to the back to back townhouses and modified certain others.

It is clear that the special hearing relief should be granted. The proposed arrangement is far more preferable than the old plan. The new orientation of the proposed homes is consistent with other townhouses in the area and will constitute a lesser concentration of building and population. The number of units is being reduced by approximately 1/3 and the layout appears entirely more appropriate for the area. For all of these reasons, I am persuaded that the Petition for Special Hearing should be granted and shall so order.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 26 day of March, 1996 that, pursuant to the Petition for Special Hearing, approval for the 8th Amended Final Development Plan - Queen Anne Village Addition - Section 2, of 40 townhouses instead of 64 back to back townhouses previously approved, in accordance with Section 500.7 of the Baltimore County Zoning Regulations (BCZR), be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioners are hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

LES:mmn



Petition for Special Hearing to the Zoning Commissioner of Baltimore County

ARVIAND		
for the property located a	at	Royalty Circle
96-312-SPH		which is presently zoned DR-16
This Petition shall be filed with the Office of Zoning Adminication The undersigned, legal owner(s) of the property situate in Balthereto and made a part hereof, hereby petition for a Special Hoto determine whether or not the Zoning Commissioner should Plan — Queen Anne Village Addition — 64 back—to—back townhouses approved prexception procedures in the manner procedures in the manner procedure.	limore C learing (approv Secti revic	County and which is described in the description and plat attached under Section 500.7 of the Zoning Regulations of Baltimore County, the 8th Amended Final Development Lon 2 for 40 townhomes instead of the public in accordance, with special
Property is to be posted and advertised as preson, or we, agree to pay expenses of above Special Hearing advance to be bound by the zoning regulations and restrictions of E	vertisino	by Zoning Regulations. g, posting, etc., upon filing of this petition, and further agree to and re County adopted pursuant to the Zoning Law for Baltimore County
Contract Purchaser/Lessee:		We do solemnly declare and affirm, under the penalties of parjury, that I/we are the legal owner(a) of the property which is the subject of this Petition. Legal Owner(s):
(Type or Print Name)	Ву:	TPG/Ltd. (Typelo/Print Name)
ang matar e		The OPM Group, LLC
Address .	By:	(Type aprint Name)
City State Zipcode	v	Signature Thomas Langford, Member 5 Bel Air South Parkway,
Attorney for Petitioner:		<u>Suite 109</u> 893-4919 Address Phone No.
Howard L. Alderman, Jr. Type or Offint Name)		Bel Air, Maryland 21215 City State Zipcode Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.
Levin & Gann, P.A. 305 W. Chesapeake Ave , #113 321-0600) .	Name Bel Air South Parkway, Rel Air, Maryland 21015 893-4919 Address Phone No.
Towson, Maryland 21204 Oity State Zipcode	•	OFFICE USE ONLY ESTIMATED LENGTH OF HEARING unavailable for Hearing
Agreed Administra	*	the following dates Next Two Months ALLOTHER
		~



Development Engineering Consultants, Inc.

Site Engineers & Surveyors

DESCRIPTION

96-312-SPH

13.19 ACRE PARCEL, SOUTHWEST SIDE OF CRADOCK LANE, QUEEN ANNE VILLAGE ADDITION, THIRD ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND.

Beginning for the same in Cradock Lane at the point shown and designated No. 1, the northeast corner of the land shown on the "5th Amended Plat of Queen Anne Village Addition", which plat is recorded among the Land Records of Baltimore County, Maryland in Plat Book E.H.K., Jr. 52 folio 113, running thence and referring the following courses and distances to the meridian as established in the Baltimore County Metropolitan District, binding on a part of the northeast outline of the land shown on said plat, and in the bed of said Cradock Lane, the following eleven courses and distances; (1) South 17 degrees 29 minutes 00 seconds East 69.40 feet, (2) South 28 degrees 05 minutes 00 seconds East 102.05 feet, (3) South 24 degrees 23 minutes 00 seconds East 76.89 feet, (4) South 14 degrees 53 minutes 00 seconds East 73.08 feet, (5) South 20 degrees 28 minutes 00 seconds East 80.00 feet, (6) South 28 degrees 11 minutes 40 seconds East 153.64 feet, (7) South 22 degrees 15 minutes 40 seconds East 100.00 feet, (8) South 16 degrees 37 minutes 20 seconds East 100.00 feet, (9) South 12 degrees 20 minutes 20 seconds East 100.00 feet, (10) South 09 degrees 54 minutes 40 seconds East 171.13 feet and (11) South 14 degrees 25 minutes 00 seconds East 100.00 feet to the point shown and designated No. 12 on said plat and being also the southeast



96-312-5PH

corner of the land shown on the plat of "Resubdivision of Portion of 5th Amended Plat of Queen Anne Village Addition" recorded among the aforesaid Land Records in Plat Book S.M. 58, folio 13, thence binding on the south outline of the land shown on said last mentioned plat and in part on the south side of Village Queen Drive as shown on said plat, the following six courses and distances; (11) South 80 degrees 20 minutes 59 seconds West 20.45 feet, (12) South 64 degrees 48 minutes 30 seconds East 14.68 feet, (13) Southwesterly, by a curve to the left with the radius of 126.00 feet, the arc distance of 56.39 feet, the chord of said arc being South 87 degrees 27 minutes 18 seconds West 55.92 feet, (14) North 79 degrees 43 minutes 30 seconds West 259.80 feet, (15) Northwesterly, by a curve to the right with the radius of 126.00 feet, the arc distance 50.43 feet, the chord of said arc being North 68 degrees 15 minutes 30 seconds West 50.10 feet, and (16) North 56 degrees 47 minutes 30 seconds West 141.06 feet, thence for lines of division the following three courses; (17) South 78 degrees 26 minutes 30 seconds West 178.46 feet, (18) Southwesterly by a non-tangent curve to the left with the radius of 83.00 feet, the arc distance of 92.30 feet, the chord of said arc being South 32 degrees 05 minutes 18 seconds West 87.62 feet, and (19) North 89 degrees 46 minutes 15 seconds West 39.99 feet to a point on the westerly outline of the land shown on the aforesaid plat of Queen Anne Village Addition recorded in Plat Book E.H.K., Jr. 52 folio 113, thence binding on a part of said west outline and the north outline of the land shown on said last mentioned plat, the following three courses and distances; (20) North 00 degrees 03



minutes 10 seconds West 1004.08 feet, (21) North 86 degrees 57 minutes 00 seconds East 575.19 feet and (22) North 86 degrees 42 minutes 00 seconds East 35.02 feet to the place of beginning.

Saving and excepting that interior parcel of land of 0.575 acres recorded among the land records of Baltimore County,

Maryland in Liber E.H.K., Jr. 6114 folio 390, leaving a net area of 13.19 acres of land, more or less.

Being a part of the land described in Exhibit "A" in the Deed dated November 6, 1975 from Ralph DeChiaro Enterprises, Inc. to Ralph DeChiaro Enterprises B, Inc. which is recorded among the Land Records of Baltimore County, Maryland in Liber E.H.K., Jr. 5585 Folio 669.

92-151

05-03-93



ZONING DEPARTMENT OF BALTIMORE COUNTY

Date of Posting	(or:		s of property.		of Signer Program Criscolo & Village Challen And			W There
District	Posted for:	Petitioner:	Location of pr	******	Location of S	; { { } ; ; ;	Remarks:	Posted by

Number of Signat

The Zaning Countricities of Estimate Countricities of the Zaning Act and Populations of Stationary, Journal of Stationary, July 1981, July 198 MOTICE DE HEARING

Case #06.5/2/59***
(Then 370)
Royally Gribe at its intersection with Village Dueen Drive and Bestion Distinct.

and Councillment.
Legal Owner(s):
The, Lut. and The OPM
Group, LLE
Special Hearing: to approve
the 8th Amended Final Develtip 4th Amended Final Develtip 5th Amended Final Develtip 6th Amended Final Develtip 5th Amended Final Develtip 5th

LAWRENCE E. SCHMIDT Zoning Contraissioner for Baltimore County NOTES. (1) Hearings are Handicapped Accessible: for special accommodations Please Call 887-359.

C34648

2358 Feb 29

CERTIFICATE OF PUBLICATION

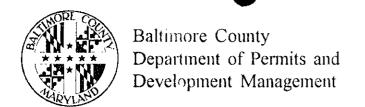
TOWSON, MD.,

published in THE JEFFERSONIAN, a weekly newspaper published successive THIS IS TO CERTIFY, that the annexed advertisement was 2/29 in Towson, Baltimore County, Md., once in each of_ weeks, the first publication appearing on _

THE JEFFERSONIAN.

LEGAL AD. - TOWSON

	FINANCE - REVENUI EOUS CASH RE). 312-5	
DATE 2.	-14-96	ACCOUNT	P00.11	6150	
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FOR:		· · · · · · · · · · · · · · · · · · ·	14	2-83-04	<u> </u>



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

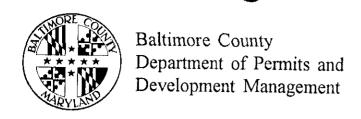
PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR
For newspaper advertising: BY: SEAN LANG-FORD, PRESUDENT Item No.: 310 Petitioner: TPG, Ltd. The OPM Group LLC
Location: Poyalty Circle
PLEASE FORWARD ADVERTISING BILL TO:
NAME: TPG, Ltd.
ADDRESS: Five South Bel air South Varkway Svite 109 Bel air MD 2/015
Bel au MD 2/015
PHONE NUMBER: 893-4919

Plat to accompany Petition for Zoning Variance	e Special Hearing
Y ADDRESS:see pages 5	& 6 of the CHECKLIST for additional required information
OWNER:,folia#,lot#,section#	
	,
4.	
	North Scale: 1'=1000'
	LOCATION INFORMATION
	Election District: Councilmanic District:
	1*=200' scale map#:
	Lot size: acreage square feet
	SEWER: Driveto
	WATER:
	Chesapeake Bay Critical Area:
	Prior Zoning Hearings:
North	office USE
date:	reviewed by: ITEM #: CASE#:
prepared by: Scale of Drawing: 1"=	,



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

February 26, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore
County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-312-SPH (Item 310)

Royalty Circle at its intersection with Village Queen Drive

3rd Election District - 2nd Councilmanic Legal Owner: TRG, Ltd. and The OPM Group, LLC

Special Hearing to approve the 8th Amended Final Development Plan of Queen Anne Village Addition, Section 2, for 40 townhouses instead of the 64 back-to-back townhouses approved previously.

HEARING: THURSDAY, MARCH 21, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

Arnold Jablon
Director

cc: TRG, Ltd.

Howard L. Alderman, Jr., Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
- (3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

TO: PUTUXENT PUBLISHING COMPANY

Feb. 29, 1996 Issue - Jeffersonian

Please foward billing to:

TRG, Ltd.
5 Bel Air South Parkway
Bel Air, MD 21215
893-4919

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore
County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-312-SPH (Item 310)

Royalty Circle at its intersection with Village Queen Drive

3rd Election District - 2nd Councilmanic Legal Owner: TRG, Ltd. and The OPM Group, LLC

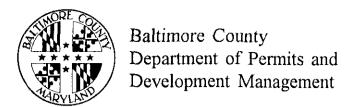
Special Hearing to approve the 8th Amended Final Development Plan of Queen Anne Village Addition, Section 2, for 40 townhouses instead of the 64 back-to-back townhouses approved previously.

HEARTING: THURSDAY, MARCH 21, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

March 14, 1996

Howard L. Alderman, Jr., Esquire Levin & Gann, P.A. 305 W. Chesapeake Ave., Suite 113 Towson, Maryland 21204

RE: Item No.: 310

Case No.: 96-312-SPH Petitioner: TRG, Ltd.

Dear Mr. Alderman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on February 14, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.

Zoning Supervisor

WCR/jw
Attachment(s)



3/7/96

BALTIMORE сопиту, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon: Director

Date: March 1, 1996

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Chief

Development Plans Review Division
Department of Permits & Development

Management

SUBJECT:

Zoning Advisory Committee Meeting

for March 4, 1996

Items 305, 306, 308, 309, (310) 313, 314

The Development Plans Review Division has reviewed the subject zoning items, and we have no comments.

RWB:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: February 29, 1996

TO:

Arnold Jablon, Director

Permits and Development

Management

FROM:

Pat Keller, Director

Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 305, 306, 307, 308, 310, 311, 313, 314, and 315

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Apy W. Long Dary L. Kleins

PK/JL

Baltimore County Government Fire Department



700 East Joppa Road Towson, MD 21286-5500 Office of the Fire Marshal (410) 887-4880

DATE: 02/27/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: TRG, LTD. & THE OPM GROUP, LLC

Location: ROYAL CIRCLE AT ITS INTERSECTION WITH VILLAGE QUEEN DR.

Item No.: 310 Zoning Agenda: SPECIAL HEARING

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

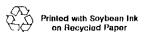
- 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File





	*	* * * *
TRG, Ltd. and The OPM Group, LLC Petitioners	*	CASE NO. 96-312-SPH
	*	OF BALTIMORE COUNTY
Village Queen Drive, 3rd Election District - 2nd Councilmanic	*	ZONING COMMISSIONER
RE: PETITION FOR SPECIAL HEARING Royalty Circle at its intersection with	*	BEFORE THE

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Peter Max Zimneinen

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this _____ day of March, 1996, a copy of the foregoing Entry of Appearance was mailed to Howard L. Alderman, Jr., Esquire, Levin & Gann, P.A., 305 W. Chesapeake Avenue, Towson, MD 21204, attorney for Petitioners.

PETER MAX ZIMMERMAN

Reter Max Zimmeima

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
ANITA C. MARTINO	13201 E. GREENBANK RD 2122

rinted with Soybean Ink	
on Recycled Paper	

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
SEAN Langfores	309 Rolling Know DE. BELDIR MD. 21014
Tom Longitues	200 Pil
	305 W. Chesupenhe for #113 2020
Howard L. Alderman Fr Esq	20(1) My 1 1 #12 21213
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Baltimore County Government Zoning Commissioner Office of Planning and Zoning



Suite 112 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

March 25, 1996

Howard L. Alderman, Jr., Esquire Levin and Gann, P.A. 305 West Chesapeake Avenue, Suite 113 Towson, Maryland 21204

RE: Petition for Special Hearing
TPG, Ltd and The OPM Group, LLC, Petitioners
Case No. 96-312-SPH

Dear Mr. Alderman:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

Lawrence E. Schmidt Zoning Commissioner

LES:mmn att.

c: Mr. Sean Langford
Mr. Tom Langford
305 Rolling Knoll Drive
BelAir, Md. 21014

C: Mr. Tom Church, Engineer 6603 York Road, Baltimore, Maryland 21212